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LETTER DATED 22 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 21 January 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the persistence of Turkey's hostile military operations in flagrant violation of Iraq's territory and airspace.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Letter dated 21 January 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I refer to my letter of 8 January 1997 concerning the continuing violations of the territory and airspace of the Republic of Iraq being committed by Turkish armed forces (S/1997/24, annex) and should like to inform you that, on a variety of pretexts, such forces are still engaging in military operations inside Iraq's territory and in its airspace. The particulars are set forth hereunder.

1. At 1400 hours on 18 December 1996 Turkish fighter aircraft bombarded the Bayshalah, Kulli Biri, Kulli Bayshalah and Yazah areas of Iraq to the north-east of Amadiyah.

2. At 1900 hours on 18 December 1996 Turkish fighter aircraft bombarded the Kulli Bazah area of Iraq.

3. At 1530 hours on 20 December 1996 Turkish fighter aircraft bombarded the Wadi Raqqah area inside Iraqi territory in Raniyah district. The bombardment destroyed the homes of a number of citizens and killed some livestock.

4. On 29 December 1996 a force of Turkish village guards estimated at 250 armed men from the Kuyan clan accompanied by a number of Turkish intelligence officers crossed the international boundary in order to carry out reconnaissance in the Sinat and Ufkuzi areas to the north-east of Zakho inside Iraqi territory. The force subsequently withdrew inside Turkish territory.

5. Between 0700 and 1400 hours on 30 December 1996 Turkish fighter aircraft and helicopters reconnoitred the aforementioned area. At 1430 hours on the same day the Sinat, Ufkuzi and Dashdagh areas, inside Iraqi territory, came under aerial bombardment from Turkish fighter aircraft and helicopters.

6. On 30 December 1996 a Turkish military force estimated at brigade-plus strength and consisting of commandos, gendarmes, mechanized infantry, armour and village guards under the command of the 23rd Gendarmerie Brigade based in Çortak vilayet crossed the international boundary into Iraqi territory in the Ufkuzi, Sinat and Bahnunah areas. The force was also supported by F-16 and F-4 fighter aircraft and Cobra helicopters.

7. On 31 December 1996 Turkish forces took up positions 8 to 10 kilometres inside Iraqi territory in the area between Ufkuzi and Huriz. They seized the major communications centres and important slopes in the area.

In conveying to you the details of these Turkish violations, the Government of Iraq expresses its condemnation of such acts of military aggression. It does so because the practices of the Turkish forces, as represented by their repeated shelling of towns and villages in Iraq and their unlawful incursions into Iraqi territory, are in flagrant violation of Iraq's sovereignty and the inviolability of its territory and airspace, just as they are incompatible with relations of good-neighbourliness, the Charter of the United Nations, the norms of

international law and the 1926 Iraq-Turkey boundary agreement. These practices may also undermine stability in the region as a whole, which is suffering primarily from the anomalous situation created by the United States of America and its allies in northern Iraq.

As stated in my previous letter, the Turkish Government bears full international responsibility for the acts of aggression it commits inside Iraqi territory and for all their consequences, regardless of the alleged reasons it gives.

The Government of Iraq reserves its legitimate right under international law to seek compensation for the damage caused by these Turkish violations of its territory and its airspace and for the human suffering inflicted on Iraqi citizens by these actions. Through you, it renews its call to the Government of Turkey to reconsider its policy with respect to the situation in northern Iraq, to promote the collaboration of the two countries on the basis of considerations of good-neighbourliness and mutual respect for sovereignty and to eliminate the reasons for the persistence of a situation that jeopardizes the interests of both countries.

As, through you, I reiterate my country's call to its Turkish neighbour to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities as laid down in the Charter and that it will halt the intimidation and aggression to which my country is constantly being subjected.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq